

SENATE BILL No. 563

By Senator Steineger

2-14

9 AN ACT; concerning school districts; relating to kindergarten pupils;
10 amending K.S.A. 2005 Supp. 72-6407 and repealing the existing
11 section.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 New Section 1. For school year 2006-2007, a pupil attending full-
15 day kindergarten at an attendance center with an enrollment in the pre-
16 ceding school year of at least 36% pupils who are eligible for free or
17 reduced price meals under the national school lunch act shall be counted
18 as one pupil.

19 For school year 2007-2008, a pupil attending full-day kindergarten at
20 an attendance center with an enrollment in the preceding school year of
21 at least 24% pupils who are eligible for free or reduced price meals under
22 the national school lunch act shall be counted as one pupil.

23 For school year 2008-2009, a pupil attending full-day kindergarten at
24 an attendance center with an enrollment in the preceding school year of
25 at least 12% pupils who are eligible for free or reduced price meals under
26 the national school lunch act shall be counted as one pupil.

27 For school year 2009-2010 and each school year thereafter, a pupil
28 attending full-day kindergarten shall be counted as one pupil.

29 Sec. 2. K.S.A. 2005 Supp. 72-6407 is hereby amended to read as
30 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly en-
31 rolled in a district and attending kindergarten or any of the grades one
32 through 12 maintained by the district or who is regularly enrolled in a
33 district and attending kindergarten or any of the grades one through 12
34 in another district in accordance with an agreement entered into under
35 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly
36 enrolled in a district and attending special education services provided
37 for preschool-aged exceptional children by the district.

38 (2) Except as otherwise provided in paragraph (3) of this subsection,
39 a pupil in attendance full time shall be counted as one pupil. A pupil in
40 attendance part time shall be counted as that proportion of one pupil (to
41 the nearest $\frac{1}{10}$) that the pupil's attendance bears to full-time attendance.
42 *Except as provided by section 1, and amendments thereto*, a pupil at-
43 tending kindergarten shall be counted as $\frac{1}{2}$ pupil. A pupil enrolled in

1 and attending an institution of postsecondary education which is author-
2 ized under the laws of this state to award academic degrees shall be
3 counted as one pupil if the pupil's postsecondary education enrollment
4 and attendance together with the pupil's attendance in either of the
5 grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted
6 as that proportion of one pupil (to the nearest $\frac{1}{10}$) that the total time of
7 the pupil's postsecondary education attendance and attendance in grade
8 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in
9 and attending an area vocational school, area vocational-technical school
10 or approved vocational education program shall be counted as one pupil
11 if the pupil's vocational education enrollment and attendance together
12 with the pupil's attendance in any of grades nine through 12 is at least $\frac{5}{6}$
13 time, otherwise the pupil shall be counted as that proportion of one pupil
14 (to the nearest $\frac{1}{10}$) that the total time of the pupil's vocational education
15 attendance and attendance in any of grades nine through 12 bears to full-
16 time attendance. A pupil enrolled in a district and attending special ed-
17 ucation and related services, except special education and related services
18 for preschool-aged exceptional children, provided for by the district shall
19 be counted as one pupil. A pupil enrolled in a district and attending
20 special education and related services for preschool-aged exceptional chil-
21 dren provided for by the district shall be counted as $\frac{1}{2}$ pupil. A preschool-
22 aged at-risk pupil enrolled in a district and receiving services under an
23 approved at-risk pupil assistance plan maintained by the district shall be
24 counted as $\frac{1}{2}$ pupil. A pupil in the custody of the secretary of social and
25 rehabilitation services and enrolled in unified school district No. 259,
26 Sedgwick county, Kansas, but housed, maintained, and receiving educa-
27 tional services at the Judge James V. Riddel Boys Ranch, shall be counted
28 as two pupils.

29 (3) A pupil residing at the Flint Hills job corps center shall not be
30 counted. A pupil confined in and receiving educational services provided
31 for by a district at a juvenile detention facility shall not be counted. A
32 pupil enrolled in a district but housed, maintained, and receiving edu-
33 cational services at a state institution shall not be counted. A pupil en-
34 rolled in a virtual school in a district but who is not a resident of the state
35 of Kansas shall not be counted.

36 (b) "Preschool-aged exceptional children" means exceptional chil-
37 dren, except gifted children, who have attained the age of three years but
38 are under the age of eligibility for attendance at kindergarten.

39 (c) "At-risk pupils" means pupils who are eligible for free meals un-
40 der the national school lunch act and who are enrolled in a district which
41 maintains an approved at-risk pupil assistance plan.

42 (d) "Preschool-aged at-risk pupil" means an at-risk pupil who has
43 attained the age of four years, is under the age of eligibility for attendance

1 at kindergarten, and has been selected by the state board in accordance
2 with guidelines consonant with guidelines governing the selection of pu-
3 pils for participation in head start programs.

4 (e) “Enrollment” means: (1) (A) Subject to the provisions of para-
5 graph (1)(B), for districts scheduling the school days or school hours of
6 the school term on a trimestral or quarterly basis, the number of pupils
7 regularly enrolled in the district on September 20 plus the number of
8 pupils regularly enrolled in the district on February 20 less the number
9 of pupils regularly enrolled on February 20 who were counted in the
10 enrollment of the district on September 20; and for districts not specified
11 in this paragraph (1), the number of pupils regularly enrolled in the dis-
12 trict on September 20; (B) a pupil who is a foreign exchange student shall
13 not be counted unless such student is regularly enrolled in the district on
14 September 20 and attending kindergarten or any of the grades one
15 through 12 maintained by the district for at least one semester or two
16 quarters or the equivalent thereof;

17 (2) if enrollment in a district in any school year has decreased from
18 enrollment in the preceding school year, enrollment of the district in the
19 current school year means whichever is the greater of (A) enrollment
20 in the preceding school year minus enrollment in such school year of
21 preschool-aged at-risk pupils, if any such pupils were enrolled, plus en-
22rollment in the current school year of preschool-aged at-risk pupils, if any
23 such pupils are enrolled, or (B) the sum of enrollment in the current
24 school year of preschool-aged at-risk pupils, if any such pupils are enrolled
25 and the average (mean) of the sum of (i) enrollment of the district in the
26 current school year minus enrollment in such school year of preschool-
27 aged at-risk pupils, if any such pupils are enrolled and (ii) enrollment in
28 the preceding school year minus enrollment in such school year of pre-
29 school-aged at-risk pupils, if any such pupils were enrolled and (iii) en-
30rollment in the school year next preceding the preceding school year
31 minus enrollment in such school year of preschool-aged at-risk pupils, if
32 any such pupils were enrolled; or

33 (3) the number of pupils as determined under K.S.A. 72-6447 or
34 K.S.A. 2005 Supp. 72-6448, and amendments thereto.

35 (f) “Adjusted enrollment” means enrollment adjusted by adding at-
36 risk pupil weighting, program weighting, low enrollment weighting, if any,
37 correlation weighting, if any, declining enrollment weighting, if any,
38 school facilities weighting, if any, ancillary school facilities weighting, if
39 any, cost of living weighting, if any, special education and related services
40 weighting, and transportation weighting to enrollment.

41 (g) “At-risk pupil weighting” means an addend component assigned
42 to enrollment of districts on the basis of enrollment of at-risk pupils.

43 (h) “Program weighting” means an addend component assigned to

- 1 enrollment of districts on the basis of pupil attendance in educational
2 programs which differ in cost from regular educational programs.
- 3 (i) “Low enrollment weighting” means an addend component as-
4 signed to enrollment of districts having under 1,662 enrollment on the
5 basis of costs attributable to maintenance of educational programs by such
6 districts in comparison with costs attributable to maintenance of educa-
7 tional programs by districts having 1,662 or over enrollment.
- 8 (j) “School facilities weighting” means an addend component as-
9 signed to enrollment of districts on the basis of costs attributable to com-
10 mencing operation of new school facilities.
- 11 (k) “Transportation weighting” means an addend component as-
12 signed to enrollment of districts on the basis of costs attributable to the
13 provision or furnishing of transportation.
- 14 (l) “Cost of living weighting” means an addend component assigned
15 to enrollment of districts to which the provisions of K.S.A. 2005 Supp.
16 72-6449, and amendments thereto, apply on the basis of costs attributable
17 to the cost of living in the district.
- 18 (m) “Ancillary school facilities weighting” means an addend compo-
19 nent assigned to enrollment of districts to which the provisions of K.S.A.
20 72-6441, and amendments thereto, apply on the basis of costs attributable
21 to commencing operation of new school facilities. Ancillary school facil-
22 ities weighting may be assigned to enrollment of a district only if the
23 district has levied a tax under authority of K.S.A. 72-6441, and amend-
24 ments thereto, and remitted the proceeds from such tax to the state trea-
25 surer. Ancillary school facilities weighting is in addition to assignment of
26 school facilities weighting to enrollment of any district eligible for such
27 weighting.
- 28 (n) “Juvenile detention facility” means: (1) Any secure public or pri-
29 vate facility which is used for the lawful custody of accused or adjudicated
30 juvenile offenders and which shall not be a jail;
- 31 (2) any level VI treatment facility licensed by the Kansas department
32 of health and environment which is a psychiatric residential treatment
33 facility for individuals under the age of 21 which conforms with the reg-
34 ulations of the centers for medicare/medicaid services and the joint com-
35 mission on accreditation of health care organizations governing such fa-
36 cilities; and
- 37 (3) the Forbes Juvenile Attention Facility, the Sappa Valley Youth
38 Ranch of Oberlin, Salvation Army/Koch Center Youth Services, the Clar-
39 ence M. Kelley Youth Center, the Clarence M. Kelley Transitional Living
40 Center, Trego County Secure Care Center, St. Francis Academy at At-
41 chison, St. Francis Academy at Ellsworth, St. Francis Academy at Salina,
42 St. Francis Center at Salina, King’s Achievement Center, and Liberty
43 Juvenile Services and Treatment.

- 1 (o) “Special education and related services weighting” means an addend component assigned to enrollment of districts on the basis of costs
2 attributable to provision of special education and related services for pupils
3 determined to be exceptional children.
- 4 (p) “Virtual school” means any kindergarten or grades one through
5 12 course offered for credit that uses distance-learning technologies
6 which predominantly use internet-based methods to deliver instruction
7 and for which the course content is available on an “anytime, anyplace”
8 basis, but the instruction occurs asynchronously with the teacher and
9 pupil in separate locations, not necessarily located within a local education
10 agency.
- 11 (q) “Declining enrollment weighting” means an addend component
12 assigned to enrollment of districts to which the provisions of K.S.A. 2005
13 Supp. 72-6451, and amendments thereto, apply on the basis of reduced
14 revenues attributable to the declining enrollment of the district.
- 15 (r) “Correlation weighting” means an addend component assigned to
16 enrollment of districts having 1,662 or over enrollment on the basis of
17 costs attributable to maintenance of educational programs by such dis-
18 tricts as a correlate to low enrollment weighting assigned to enrollment
19 of districts having under 1,662 enrollment.
- 20 Sec. 3. K.S.A. 2005 Supp. 72-6407 is hereby repealed.
- 21 Sec. 4. This act shall take effect and be in force from and after its
22 publication in the statute book.
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